

CLARK COUNTY LAW LIBRARY

Board of Trustees Annual Report 2005

Introduction

The Clark County Law Library Board of Trustees presents this 2005 Annual Report, as required by RCW 27.24. This Report is based on information supplied by Maria Sosnowski, Law Librarian. This Annual Report covers the period from January 1, 2005 through December 31, 2005.

The Clark County Law Library strives to provide access to legal information to all patrons who come through the door. The Library offers personal, professional assistance without any strings attached. Our mission is to ensure that the Clark County Law Library provides a community resource for access to justice for people of any age, income, or educational level.

We invite your comments and cooperation. Please feel free to contact members of the Board, or Law Librarian Maria Sosnowski, to share your thoughts about the Library.

Who the Library Serves

The general public is the largest user group in the Law Library. During 2005, 83% of the reference questions answered in the Library came from members of the public. Two paralegal programs (Clark College and Evergreen College, formerly Western Business College) use the Library to teach their students legal research.

The Library also serves 9 Superior Court judges, 7 District Court judges, a magistrate, 2 court commissioners, 500 or more Clark County attorneys as well as attorneys from other counties and Oregon. The Library also provides reference services to inmates in the Clark County Jail and provides interlibrary loan services to other libraries on an as-needed basis.

Collection

As of December 31, 2005, the Clark County Law Library had approximately 19,000 volumes, 1,000 supplements and advance sheets not attached to individual volumes, and 7,000 microfiche. The Library also has Washington State Supreme Court Briefs, individual local court rules, and the periodical Jury Verdicts Northwest.

The Law Library currently subscribes to Shepard's citations and Westlaw, two on-line legal databases. Westlaw has databases for Oregon, Washington, the 9th Circuit, and various secondary source materials. Shepards offers the ability to check to see if a cited case is still good law.

Currently, 32 books are on the missing book list. This does not include missing books that have been replaced, or outdated items that would have been discarded due to age. The Library has been able to replace several missing items at no cost from various listserves that the Librarian belongs to.

Legislative Strategies

The Law Library has been working to increase and stabilize funding for several years. Beginning in 1999, the Librarian has been involved in an effort by the Washington Association of County Law Libraries to help pass legislation that would increase funding for county law libraries. During the 2005 session, the librarians worked on our own bill and also supported a bill that would increase filing fees, with a portion of that increase slated for law libraries.

We are pleased to report that 2ESSB 5454 passed during the 2005 legislative session and took effect in July of 2005. While that bill does not have as much impact as the bill proposed by the county law librarians, it increased our share of filing fees from \$15 to \$17 per filing in Superior Court and from \$6 to \$7 per filing in District Court. There is also an option, with county approval, of increasing to \$20 per filing for Superior Court. This bill was projected to provide a 12% increase in filing fee revenues for the Law Library. While this is not enough for long-term stability, it will prevent cuts to the collection or hours in the immediate future.

Financial Strategies

Unlike many county law libraries in Washington, the Clark County Law Library is not in the county budget and does not receive funds from the county. The County does provide more indirect support than other counties, including payroll, computer, mail, and administrative services.

In 2005, the Law Library cut materials during the year to ensure that our expenses would not exceed our budget. We saved \$8,887 during the year by refusing various updates or replacing items with less expensive alternatives:

1. Fletcher's Cyclopedia of Corporations and Fletcher's Corporate Forms were both cancelled and replaced with less extensive but cheaper alternatives, with an estimated annual savings of \$2,800.
2. Anderson on the UCC was cancelled and replaced with White and Summers, for an annual savings of about \$800.
3. Pocket parts for ALR 4th and 5th were returned. It is now possible to update both of those sets on the computer. This was a savings of about \$1,000.
4. Shepards Federal, Bankruptcy, and US Master contracts were not renewed. This will cause our online shepards cost to increase, but even with the expected increase we will save at least \$3,000 annually.
5. Indexes for American Jurisprudence and American Jurisprudence Trials were sent back, saving the Law Library \$1,123.
6. Anderson's Law of Zoning is now updated twice per year. We sent back the fall update, saving \$164.

The Law Library continues to look for ways to increase our self-generated revenues. We sell four form kits, which net \$7,689.86 in revenues during the year for the Law Library. The Library continues to charge attorneys for after hours access keycards, which raised \$5,532 during the year. We raised another \$1,643 from our share of copier revenues.

The Library has also taken advantage of opportunities to sell old volumes. Certain materials, which in the opinion of the Librarian would be likely to sell, are listed for bid. This allows the Library to raise a nominal amount of money from items that would otherwise be discarded. During the year, we raised an additional \$1,166 this way.

The Library has been able to increase self-generated revenues to about 10% of our total revenues for 2005. This is up from 8% in 2004. As recently as 2001, our self-generated revenues were less than 1% and came only from copier revenues. While the Library is always considering additional ways to generate revenue, we are fairly limited in the options available.

Donations

The Clark County Bar Association's Law Library Committee set up a sponsorship and donation program in 2003. Each year, a letter goes out to the membership in the CCBA newsletter, letting them know about our sponsorship program and asking for monetary donations. The Law Library also accepts book donations if they are materials that the Library can use or materials which are likely to sell.

During 2005, the Library received \$445.88 total in cash donations from the law firm of Pabst, Holland & Reynolds and \$250 from Bill Nelson. We also received the following materials donations: Martindale-Hubbell volumes from Stoel Rives and Clark County Prosecuting Attorney Phil Meyers' son Dave Meyers, 4 CLEs on tape from Dan Seligman, a CLE on CD Rom and a CD Rom practice set from Josephine Townsend, 9 CLEs from Jocelyn Slaughter, a CLE on tape from Mike Foister, and a Real Property Deskbook set from Larry Juday.

The Law Library added three volumes to the collection in exchange for the Law Librarian agreeing to write reviews for them. Those were: A Practical Guide to Drafting Marital Deduction Trusts, The Funding of Living Trusts, and Legal Strategy.

Missing volumes are also sometimes replaced via listserves, enabling the Library to replace items that it cannot afford to purchase.

Library Improvements – Books and Print Materials

Due to the escalating costs of maintaining the sets that we have, the Library has been unable to make many new acquisitions unless they are low cost or from the Washington State Bar Association. And due to space restrictions, we cannot purchase items that need extensive shelf space.

The Library purchased the following new titles in 2005: Elder Law Forms from Aspen, Federal Civil Procedure Before Trial, Everybody's Guide to Small Claims Court, Consumer Law, Battle Ground Municipal Code, Homeowners Association Handbook, and Condominium and Homeowners Association Manual.

We bought these titles to replace other, more expensive titles: Cox and Hazen on Corporations, and Contemporary Corporate Forms.

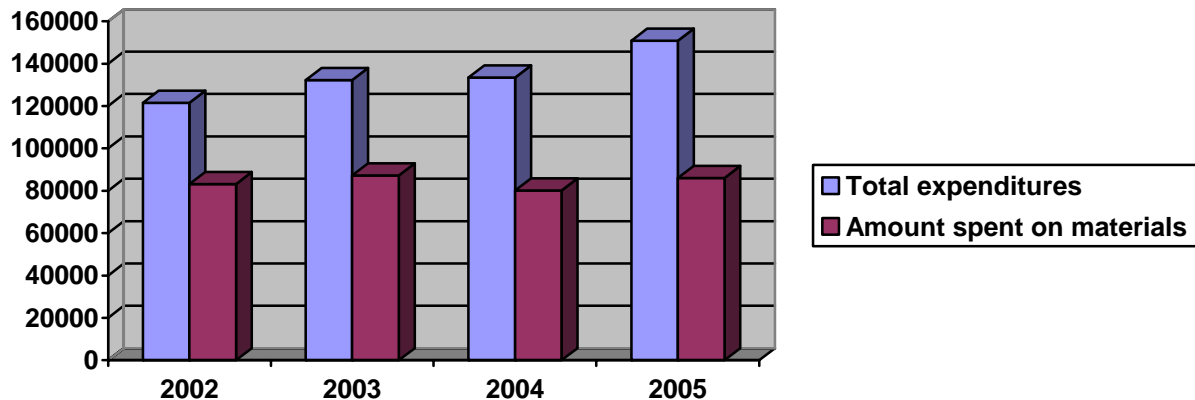
We bought these titles to replace existing but outdated copies: Cross Examination Science and Technique, and Courtroom Criminal Evidence.

The Library also continues to purchase nearly all of the new Continuing Legal Education books from the state bar or the Washington State Trial Lawyers Association and all of the Washington State Bar Association Deskbooks. We added 67 CLEs from WSBA, 8 from WSTLA, and 19 from NBI, for a total of 94 CLEs purchased during the year. We continue to receive free CLEs from the Clark County Bar Association.

The Library also continues to receive state Supreme Court briefs from the State Law Library, and Jury Verdicts Northwest/Northwest Arbitration from the Superior Court Administrator.

The Library has historically spent between 60 and 75% of its total annual expenses directly on materials. This compares favorably with other county law libraries, which generally spend a smaller percentage on materials. For example, in the last available annual reports, King County Law Library spent 38% of its annual expense on materials, Skagit County spent about 50%, and Snohomish County spent about 45%. Figure 1 shows the relation between the amount spent on materials and our total budget.

Figure 1: Total Revenue and Amount Spent on Materials 2002 - 2005



This year 57% of our expenditures were on materials. However, counting the money set aside for deferred purchases brings that up to 61% of our expenditures.

Library Improvements – Database and Computer

The Library offers internet-based Shepard's and internet-based Westlaw. The Westlaw subscription includes Washington, Oregon, the 9th Federal Circuit, and some secondary materials. While the monthly cost is quite high (about \$1,200), Westlaw offered a discount on various book titles along with the internet contract, which brings our monthly net cost to a range we can afford. Our average net monthly cost for Westlaw was \$237 during the year. Westlaw is an attractive service to attorneys and is also regularly used by pro se patrons doing legal research, and is also used by the Librarian to assist patrons.

The Library offers printing from the computers at 25 cents per page. This allows patrons to print materials they find on free websites as well as our paid subscription websites. Some of that material is not available in print in the Library. The Library purchased a printer that was capable of being networked, and it is now used to print from the two public computers as well as the office computer. Printing revenues will offset the cost of the printer, paper and toner.

Library Challenges - Space

The Library has run out of space. All duplicative materials have been discarded. Every year the Librarian must make decisions about what materials must be discarded to make room for newer or more popular materials. Patrons have asked about some of the missing materials and are disappointed that they are no longer available.

In addition, reporters are shelved on the very top shelf, which requires a ladder to reach. Some items are shelved where there is space, rather than where they should logically go, resulting in difficulty finding materials for those not very familiar with the collection.

The Library is now to the point of being forced to discard useful but lesser-used materials to make room for expanding reporter series. Space, as well as cost, is considered in deciding which items to add to or cut from the budget. At this point, we are unable to add any big sets due to lack of room. Sometimes this results in a lower-quality title being selected because it needs less shelf space.

The main holding of the Law Library is case reporters. These reporter series are vital resources for the Law Library that would cause great hardship to the community if they were discontinued. The Law Library simply must have more space. In order to continue these series, we will have to stop getting other items, or throw out more materials that cost thousands of dollars to acquire in the first place.

Library Challenges - Finances

The Library is still experiencing disproportionate inflation in subscription costs. Most of our materials come from two vendors, and due to a series of mergers and acquisitions, many of the smaller publishers have disappeared. West Publishing accounted for 74% of the materials budget during 2005, and has had increases in prices ranging from 10 – 20% most years. We sent \$8,887 worth of materials back to the publisher during the year to save money and help ensure that our budget balanced. Due to these selective returns during the year, and due to the increase in filing fee revenues, the Library is able to avoid further cuts to the 2006 budget.

Washington materials are all kept updated according to publisher's schedules. That is not true for many other materials. There are a number of sets in the Library which are no longer updated regularly, but instead are on a rotating 3 or 5 year cycle. There are also some sets that the Library maintains but due to the cost lack a current index. While this is not as desirable as having fully updated materials, it is one way the Library is trying to stretch our revenue.

While Library revenue has historically increased only about 3% per year, Library expenditures have risen much more. Book costs increase average 10-20% per year. This means the Library has been unable to purchase new materials and had to make significant cuts to the

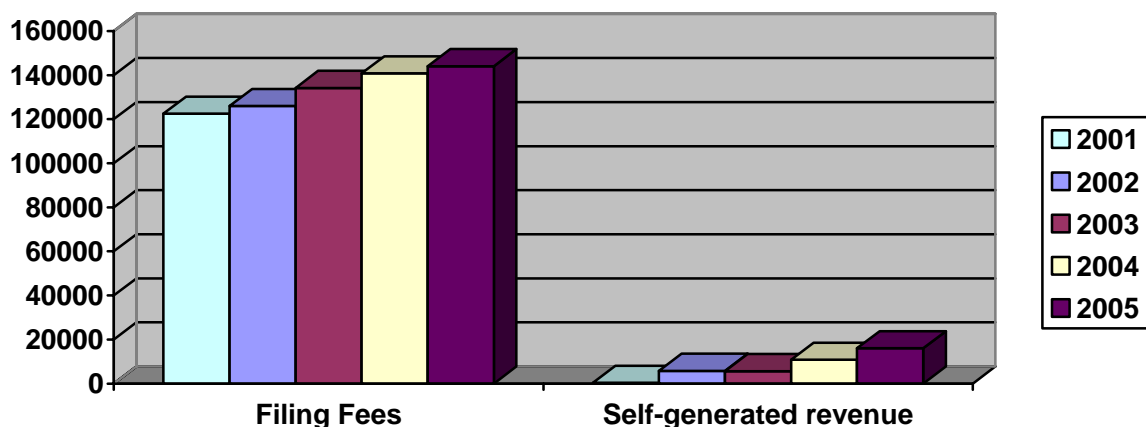
collection to balance the budget for 2000 through 2004. Figure 2 on the next page shows the percentage increase during the last three years of seven basic titles that the Library considers part of its core collection.

Figure 2: Percentage Cost Increase of Basic Materials in the Library 2002 - 2005

Title	2002 cost	2003 cost	2004 cost	2005 cost	Increase
Federal Reporter volume	59.00	74.00	83.00	91.00	54%
Pacific Digest pocket parts	490.00	515.00	577.00	638.00	30%
Restatement pocket parts	510.00	561.00	629.00	689.00	35%
Shepards for Washington	577.00	784.00	830.00	951.00	65%
United States Code Annotated pocket parts	799.00	910.00	1,023.00	1,120.00	40%
Washington Code Annotated pocket parts	682.00	912.00	902.00	1,032.00	51%
Washington Digest pocket parts	294.00	310.00	347.00	387.00	32%

The Library has looked for means to increase revenue. In 2002 the Library began charging attorneys an annual fee for the privilege of having after hours access keycards. This raised \$5,532 in 2005. The Library also sells four form packets. Net revenues from these form packets were \$7,690 in 2005. We also began tracking bids taken on superseded items. That raised \$1,166 in 2005. With the keycards, form packets, bid items, and copier revenues, the Library has been able to raise self-generated revenue from far less than 1% of the total budget in 2001 to 10% of the 2005 budget. (see Figure 3)

Figure 3: Law Library Income by Category 2001 - 2005



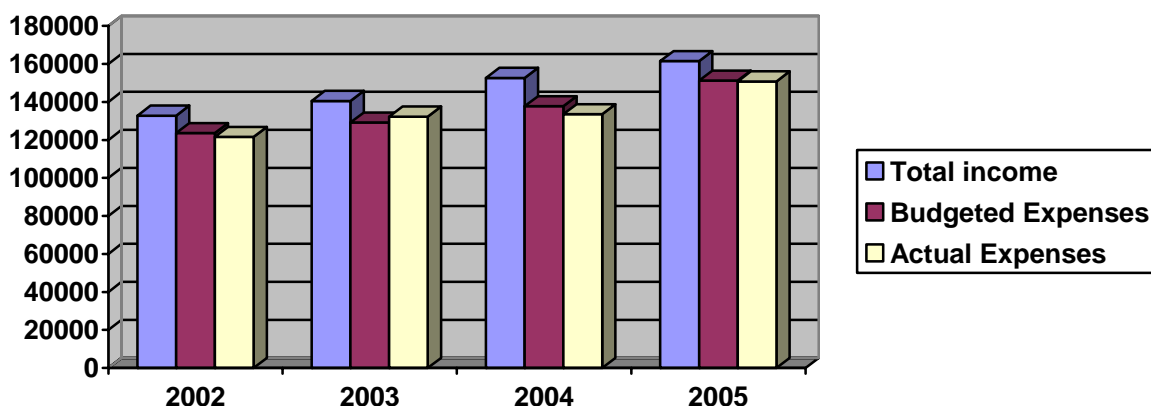
*Self-generated revenue includes revenue from after hours access keycard sales, a portion of copy card revenue, and

revenues from the sale of form packets. Beginning in 2005, it also includes money from bids on discarded items.

The Law Library has begun to set aside a reserve account as a portion of each year's budget, to pay for replacement of certain book sets in 3-5 year cycles. This allows the Library to save money because replacing the sets every few years costs less than updating them annually. However, this also means that these sets are no longer current.

The Library also maintains a reserve account to cover months when the Law Library is not credited for its share of filing fees on time, or to cover unexpected expenses such as equipment repair and replacement. We also expect to be relocated in the next few years and have set aside reserves for costs that will be associated with moving. As a result, our expenses have been kept below our income in order to allow our reserve account to grow. This also allows a cushion because in some years our expenses have exceeded our revenues.

Figure 4: Income and Expenses for 2002 - 2005



The increase in filing fee revenues that took effect in July of 2005 had little effect on the Law Library revenues for the year. Perhaps the increase in filing fees has led to a decrease in the number of cases filed. Filing fee revenues increased by only 2% from 2004 to 2005, despite the fact that the increase in our share went up 12% beginning in late July. Given that the new filing fee level was in effect for a little over five months of the year, we should have seen more of an increase.

The County Bar Association has a Law Library Committee that has been asking law firms and individuals to sponsor various titles in the Law Library, and trying to increase awareness of the Law Library's need for donations. Due to their efforts, the Law Library received \$695.88 in cash donations in 2005. In addition, the Library also received donations of materials, some of which were added to the collection and some of which were sold to raise additional revenue.

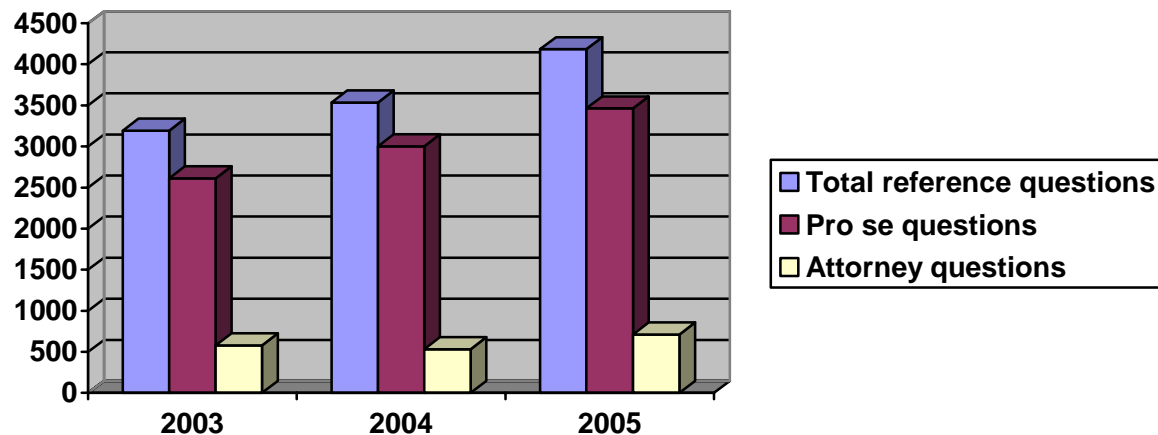
Use Statistics

The Law Library purchased and installed a door counter during the year. While we only have statistics for the last two months of the year, for the 2006 report, we will have statistics on the number of people coming into the library both during open hours and while we are closed.

A. Reference and semi-reference questions

The Library answered 4,184 reference questions during 2005, up from 3,535 during 2004 and 3,193 during 2003. This is a 31% increase in the number of reference questions in just two years. In addition, there were numerous non-reference questions, which are not included in those numbers. Of the 4,184 questions, 3,463 of them came from pro se patrons (non-attorneys) with the rest coming from attorneys. Approximately 83% of the questions the Law Library helps with are from non-attorneys, and 17% are from attorneys. Figure 5 shows the increase in reference questions from 2003 to 2005.

Figure 5: Reference Questions 2003 – 2005 by Attorneys and Pro Se Patrons



B. Circulation

Non-reserve books may be checked out on the honor system by judges, lawyers, and county officials. During 2005, 785 items were checked out. Three items were sent and 33 items received through interlibrary loan during this period. Due to the limited collection, the Library borrows far more than it lends. Nearly all of our interlibrary loans come from the State Law Library, due to their large collection and policy of not charging for this service. Items that are not available from them can usually be obtained from Lewis and Clark's Boley Law Library.

C. Inmate Requests

During the period covered by this report, the Library received 9 documented inmate requests, many of which ask for multiple items to be copied.

The Law Library provides the county a service by answering these requests. Aside from a copy card purchased by the jail, the Library does not receive any county funding to pay for the time or materials to handle inmate requests.

D. Westlaw Use

During the year, library patrons conducted 2,970 total transactions using Westlaw. These are broken down by databases as illustrated in Figure 6:

Figure 6: Westlaw Use for 2005

Database	% Use	What it Covers
Analytical	7.7%	Secondary sources such as American Jurisprudence, forms, Proof of Facts, Restatement
Washington	84.2%	Cases arising in Washington, statutes, court rules, administrative rules, attorney general opinions
Oregon	5.2%	Cases arising in Oregon, statutes, court rules, administrative rules, attorney general opinions
Washington Practice	3%	Online version of the print set of the same title

Financial Report

The Law Library had an average year for filing fee revenues in 2005, but had strong form packet sales and keycard revenues. Our revenues exceeded projections by \$10,000. By maintaining our conservative approach to the materials budget, the Library came in at budget for expenses and over budget for revenues, allowing us to build up our reserve account. Figures 7 (below) and 8 (next page) show a diagram of expenses and revenues, and Figure 9 on the next page shows actual numbers for each category.

Figure 7: Expenses for 2005

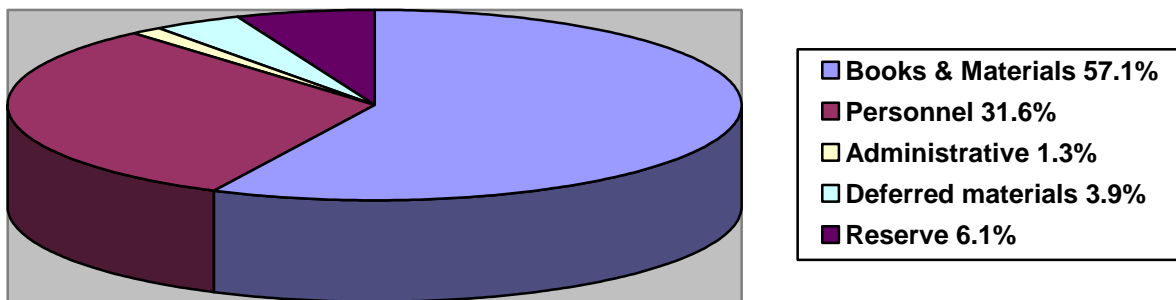


Figure 8: Revenues for 2005

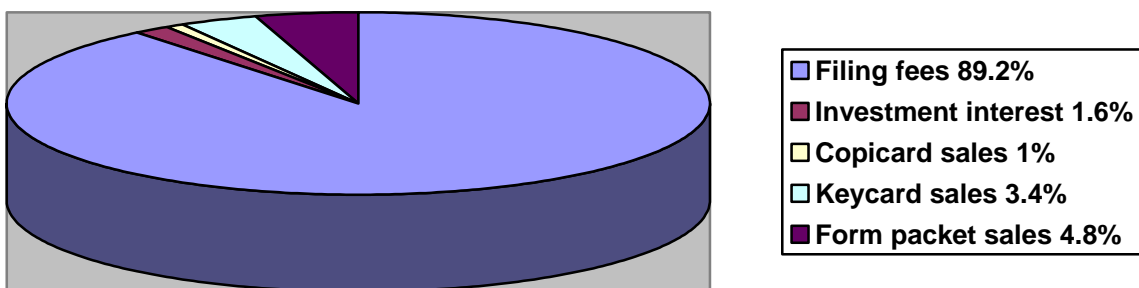


Figure 9: January – December 2005 Expense and Revenue Numbers

EXPENDITURES

Salary	\$31,773
Employee Benefits	12,965
Books & Supplies	86,085
Telephone	309
Temporary Employment	2,917
Computer Maintenance	0
Equipment	336
Furniture	0
Deferred items	5,829
Reserve account	9,163

REVENUES

District Filings	\$32,428
Superior Filings	111,643
Interest	2,620
Copico	1,643
Keycards	5,532
Form Packets	7,690

Total

\$150,817

Total

\$161,556

Please note that our reserve account got too low and so for the last several years we have tried to be very conservative in order to ensure that the account increases to a more comfortable level. Due to fluctuations in monthly expenses and revenues, as well as unexpected price increases or equipment costs, the Library needs to have a healthy reserve account. Also, since we started placing some items on a rotating update basis, we need to build up reserves for the future planned purchases to update the items. Filing fees fluctuate quite a bit. We have also chosen to use the increase in filing fees to continue to build up the reserve account to buffer for the inevitable time in the future when our expenses exceed our revenues.

Summary

During 2005, the Law Library continued its policy of conservative budgeting and aggressive materials acquisition policies, and ended the year with revenues in excess of expenditures. However, the Library continues to struggle with a lack of space and spiraling materials costs, which have negatively impacted the quality and extent of the collection.

For 2006, the Library will continue to focus on increasing self-generated revenue. Each item that comes into the Library will be evaluated in terms of cost, space, and potential alternatives in order to offer the best possible collection within our limitations.

Submitted on behalf of the Board of Trustees by:

__signed by Judy Zeider_____
Judy Zeider, Chair

__6/22/06_____
Date